
By: **Delegates Cane, Jennings, Bozman, Conway, Elmore, Cluster, Eckardt,
Hogan, McConkey, Owings, Rudolph, Sossi, Stull, and Weir**
Introduced and read first time: February 6, 2004
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Environment - Sediment Control Plans for Forest Harvest Operations -**
3 **Term**

4 FOR the purpose of providing that sediment control plans for forest harvest
5 operations are valid for a certain period of time, subject to a certain exception;
6 and generally relating to sediment control plans for forest harvest operations.

7 BY repealing and reenacting, with amendments,
8 Article - Environment
9 Section 4-103(a)
10 Annotated Code of Maryland
11 (1996 Replacement Volume and 2003 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Environment**

15 4-103.

16 (a) (1) A county or municipality may issue grading and building permits as
17 provided by law.

18 (2) A grading or building permit may not be issued until the developer:

19 (i) Submits a grading and sediment control plan approved by:

20 1. The appropriate soil conservation district; or

21 2. A municipal corporation in Montgomery County that is
22 designated under paragraph (4) of this subsection; and

23 (ii) Certifies that all land clearing, construction, and development
24 will be done under the plan.

1 (3) Criteria for sediment control and the procedure for referring an
2 applicant to the appropriate soil conservation district shall be acceptable to the soil
3 conservation district and the Department of the Environment.

4 (4) A soil conservation district may delegate approval authority of a
5 grading and sediment control plan to a municipal corporation in Montgomery County
6 that:

7 (i) Has its own sediment control review provisions that are at least
8 as stringent as the provisions of the grading and sediment control plan of the soil
9 conservation district;

10 (ii) Issues sediment control permits; and

11 (iii) Meets the necessary performance standards established by
12 written agreement between the district and the municipal corporation.

13 (5) UNLESS SPECIFICALLY EXTENDED OR RENEWED BY THE SEDIMENT
14 CONTROL PLAN APPROVAL AGENCY, SEDIMENT CONTROL PLANS FOR FOREST
15 HARVEST OPERATIONS ARE VALID FOR 3 YEARS FROM THE DATE OF APPROVAL.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
17 effect October 1, 2004.